

## DEPARTMENT OF TRANSPORTATION

P.O. BOX 23660

OAKLAND, CA 94623-0660

*Flex your power!  
Be energy efficient.*

October 27, 2008

04-CC-0-PLHL  
DBE Program  
Year: FY 2008/09  
AADPL: 23 %

RECEIVED

OCT 29 2008

ENGINEER'S DIVISION  
CITY OF PLEASANT HILLMr. Mario Moreno  
DBELO  
City of Pleasant Hill  
100 – Gregory Lane  
Pleasant Hill, Ca 94523-3323

Re: Approval of "AADPL Submittal"

Dear Mr. Moreno:

We received your draft Annual Anticipated Disadvantaged Business Enterprise Participation Level (AADPL) for FY 2008/09 that you recently sent to this office. Our staff has reviewed the contents and elements of the AADPL information, and we find they meet the requirements of Title 49 CFR Part 26. Your draft AADPL information is hereby approved.

Further information regarding the DBE program - including the LPPs (06-01 & 06-02), can be found at the Local Programs website at [www.dot.ca.gov/hq/LocalPrograms/](http://www.dot.ca.gov/hq/LocalPrograms/). If you have any questions feel free to call Moe Shakernia at 510-286-5236 or myself at 510-622-5928.

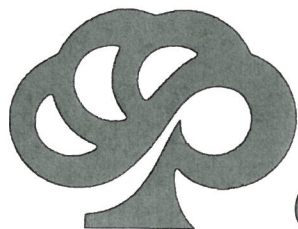
Sincerely,

Sylvia Fung, Chief  
Office of Local Assistance

By

A handwritten signature in black ink, appearing to read 'Arthur P. Duffy'.

Arthur P. Duffy, PE  
Local Assistance Engineer



# City of Pleasant Hill

October 22, 2008

TO: Mr. Arthur P. Duffy, PE, Local Assistance Engineer  
CALTRANS DISTRICT 4  
P.O. Box 23660  
Oakland, CA 94623-0660

Subject: **City of Pleasant Hill DBE Annual Submittal Form Fiscal Year 2008-09**

Dear Mr. Duffy,

The amount of the Annual Anticipated DBE Participation Level (AADPL) and methodology are presented herein in accordance with Title 49 of the Code of Federal Regulations, Part 26, and the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan. The City of Pleasant Hill submits our AADPL information. We have established an **AADPL of 23%** for the Federal Fiscal Year 2008/2009, beginning on October 1, 2008, and ending on September 30, 2009.

**Current City Projects:**

Project Name	Project Dollars	Federal Dollars
Bridge Barrier Replacement at Taylor Boulevard at Grayson Creek	\$145,000	\$106,000
Golf Club Road Bridge Replacement	\$2,396,000	\$1,916,800
Golf Club Road Bridge Replacement Water Main Relocation	\$575,000	\$460,000
City Landslide Repairs	\$640,000	\$490,000
Contra Costa Pavement Rehabilitation	\$800,000	\$540,000
Lisa Lane Sidewalk Project	\$384,150	\$344,150
Contra Costa Blvd Sidewalk Project (btw Taylor Blvd and Harriet Drive)	\$147,000	\$163,350
Oak Park Blvd/Patterson Blvd Signal Upgrade	\$293,040	\$325,600
Pleasant Hill Road/Geary Road Intersection Improvement	\$352,000	\$316,800
<b>TOTALS</b>	<b>\$5,732,190.00</b>	<b>\$4,662,700.00</b>

## Methodology:

### Step 1 – Use of DBE Directories and Census Bureau Data

The City of Pleasant Hill followed the following procedure as outlined in Local Assistance Procedures Manual, Chapter 9, “Methodology – Step 1, Use of DBE Directories and Census Bureau Data,” Page 9-14, for Projects (see project list above): Determine the number of ready, willing and able DBE’s in the City of Pleasant Hill’s market (10 Bay Area Counties, including Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma) from the DBE directory. Using the Census Bureau’s County Business Pattern (CBP) database, determined the number of all ready, willing and able businesses available in Pleasant Hill’s market that perform work in the same Standard Industrial Classification (SIC) codes (NAICS). Divide the number of DBE’s by the number of all businesses and multiply by the weighted amount of work per NAICS work code. The weighted base figure calculation is reflected in the following formula:

$$\sum \% \text{ Fed. \$ by NAICS Work Code} \times \left[ \frac{\# \text{ of DBE's by NAICS Code}}{\# \text{ of all Firms by NAICS Code}} \right] = \text{Weighted Base Figure}$$

Utilizing this formula, the City’s weighted base figure is calculated to be **22.95%**. The details of the weighted base figure calculation and the DBE and County Business Information are shown in Appendix A.

### Step 2 - Adjusting the Base Figure

The City of Pleasant Hill followed the following procedure as outlined in Local Assistance Procedures Manual, Chapter 9, “Methodology – Step 2,” Page 9-15,16: Once a base figure has been determined, local agencies must survey their jurisdiction to determine what types of relevant evidence is available to them. Then, relying on their own knowledge of their contracting markets, local agencies must review the evidence to determine whether an up or down adjustment from the base figure is needed. Some types of evidence to consider include the following:

- A. The current capacity of DBEs to perform work in your DOT-assisted contracting program, as measured by the volume of work DBEs have performed in recent years.

Past DBE Participation	
Gregory Ln. Rehabilitation STPL 5375(012)	10.1%
Pleasant Hill Rd. Rehab. STPL 5375(013)	11.7%
<b>Average Percentage =</b>	<b>10.9%</b>



- B. Evidence from disparity studies conducted anywhere within your jurisdiction to the extent it is not already accounted for in your base figure.

The City of Pleasant Hill is not aware of any current disparity studies within its jurisdiction and /or market area that are relevant to its current projects.

- C. If your base figure is the figure of another recipient, you must adjust it for differences in your local market and your contracting program.

This does not apply to the City of Pleasant Hill's method of calculating the base figure.

- D. Statistical disparities in the ability of DBEs to get the financing, bonding and insurance required to participate in your program.

The City of Pleasant Hill is not aware of any information within its jurisdiction and /or market area that is relevant to this type of evidence as it relates to its current projects.

- E. Data on employment, self-employment, education, training and union apprenticeship programs, to the extent you can relate it to the opportunities for DBEs to perform in your program.

The City of Pleasant Hill is not aware of any information within its jurisdiction and /or market area that is relevant to this type of evidence as it relates to its current projects.

Based on the City of Pleasant Hill's review and consideration of the above factors, the evidence considered does not merit an adjustment to the Base Figure, other than rounding up from 22.95% to 23%. **Therefore, the City of Pleasant Hill's AADPL for Fiscal Year 2008-2009 is 23%.**

#### Race-Neutral Component

City of Pleasant Hill will follow the following procedure as outlined in Local Assistance Procedures Manual, Chapter 9, "Race-Neutral Component," Page 9-16: Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures; is awarded a subcontract on a prime contract that does not carry a DBE goal; or even if there is a DBE goal, obtains a subcontract from a prime contractor that did not consider its DBE status in making the award. Race-neutral measures may include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing.
3. Providing technical assistance and other services.
4. Providing information and communications programs on contracting procedures and specific contract opportunities.
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses.

6. Providing services to help DBEs and other small businesses improve long-term development; increase opportunities to participate in a variety of kinds of work; handle increasingly significant projects; and achieve eventual self-sufficiency.
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low.
8. Ensuring distribution of the DBE directory, through print and electronic means to the widest feasible universe of potential prime contractors.
9. Assisting DBEs and other small businesses to develop their capability to utilize emerging technology and conduct business through electronic media.
10. Implementing or developing a mentor-protégé program.

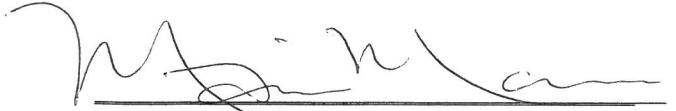
### **Disadvantaged Business Enterprise Liaison Officer (DBELO)**

Mario Moreno, DBE Liaison Officer,  
City Engineer/ Engineering Division Manager  
City of Pleasant Hill  
100 Gregory Lane  
Pleasant Hill, CA 94523  
Office: (925) 671-5252  
Fax: (925) 676-1125  
Email: Mmoreno@ci.pleasanthill.ca.us

### **Prompt Pay (Option 3)**

The agency shall hold retainage from the prime contractor and provide for prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30-days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

Submitted by:



Mario Moreno,  
City Engineer/ Engineering Division Manager  
DBE Liaison Officer, City of Pleasant Hill

Date: OCT 22/08

Phone Number: (925) 671-5252

Reviewed by Caltrans:

\_\_\_\_\_  
[Signature - DLAE]

Date: \_\_\_\_\_

\_\_\_\_\_  
[Print Name - DLAE]

Distribution: (1) Original -DLAE  
(2) Copy-local agency after signing by DLAE

# **APPENDIX A** **BASE FIGURE CALCULATION**

Project Information		Major Elements of Work (By %)				Major Elements of Work (\$)			
Project Name	Fed Funds	Engineering Services (NAICS 541330)	Environmental Consulting (541620)	Hwy Street & Bridge (NAICS 237310)	Electrical (NAICS 238210)	Engineering Services (NAICS 541330)	Environmental Consulting (541620)	Highway Street & Bridge (NAICS 237310)	Electrical (NAICS 238210)
Bridge Barrier Replacement at Taylor Blvd	\$106,000			100.0%				\$106,000	
Golf Club Rd Bridge Rplmt	\$1,916,800	20.0%	5.0%	75.0%		\$383,360	\$95,840	\$1,437,600	
Golf Club Rd Bridge Replacement Water Main Relocation	\$460,000	20.0%		80.0%		\$92,000		\$368,000	
City Landslide Repairs	\$490,000	20.0%		80.0%		\$98,000		\$392,000	
Contra Costa Pavement Rehab	\$540,000			90.0%	10.0%			\$486,000	\$54,000
Lisa Lane Sidewalk Project	\$344,150			100.0%				\$344,150	
Contra Costa Blvd Sidewalk Project	\$147,000			100.0%				\$147,000	
Oak Park Blvd/Patterson Blvd Signal Upgrade	\$293,040	10.0%		10.0%	80.0%	\$29,304		\$29,304	\$234,432
Pleasant Hill Rd/Geary Rd Int Improvement	\$316,800	15.0%		75.0%	10.0%	\$47,520		\$237,600	\$31,680
<b>Total</b>	<b>\$4,613,790</b>					<b>\$650,184</b>	<b>\$95,840</b>	<b>\$3,547,654</b>	<b>\$320,112</b>

A (% of Federal Funding by Major Element of Work) =      **14.09%**      **2.08%**      **76.89%**      **6.94%**

DBE Information and County Business Pattern Information		Major Elements of Work			
B (# of DBE Firms / # of All Firms) =	Engineering Services (NAICS 541330)	Environmental Consulting Services (541620)		Highway, Street & Bridge (NAICS 237310)	Electrical (NAICS 238210)
	45	35	11.82%	53	34
	2123	296		183	1677

**Weighted Base Figure (Sum (A \* B)) =**      **0.30%**      **0.25%**      **22.27%**      **0.14%**      **=**      **22.95%**



**APPENDIX A CONTINUED**  
**DBE & COUNTY BUSINESS INFORMATION**

<b>Project Services</b>	<b>Alameda</b>	<b>Contra Costa</b>	<b>Marin</b>	<b>Napa</b>	<b>San Francisco</b>	<b>San Mateo</b>	<b>Santa Clara</b>	<b>Solano</b>	<b>Sonoma</b>	<b>Total Firms</b>	<b>Total DBE Firms</b>
Engineering Services (541330)	420	332	75	31	263	159	660	50	133	2,123	45
Environmental Consulting Services (541620)	85	52	25	2	40	13	44	8	27	296	35
Highway Street and Bridge Construction (237310)	36	36	7	9	6	19	39	8	23	183	53
Electrical Contractors (238210)	342	213	80	41	185	187	377	78	174	1,677	34
<b>Totals</b>	<b>883</b>	<b>633</b>	<b>187</b>	<b>83</b>	<b>494</b>	<b>378</b>	<b>1,120</b>	<b>144</b>	<b>357</b>	<b>4,279</b>	<b>167</b>